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LETTER DATED 11 NOVEMBER 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to address you and draw your attention to renewed acts of aggression against the Republic of Bosnia and Herzegovina in the Bihac region, carried out from the occupied territories of Croatia by air and land, and advise you that the Government of the Republic of Bosnia and Herzegovina and the Government of the Federation of Bosnia and Herzegovina is requesting my Government's support in order to affect the aggressive violation of Bosnia and Herzegovina's sovereignty from the occupied territories of Croatia.

The Security Council-declared safe area of Bihac was attacked on 9 November 1994 on at least two occasions by four attack planes type "G-2" and two helicopters type "H-42", of the 115th Yugoslav "mixed airforce brigade", originating from the Udbina airport in the occupied territories of Croatia. The first attack commenced at 10.15 local time; four air-to-surface rockets were fired on Bihac. The second attack commenced at 15.13 local time; four additional rockets of the same type were fired at Bihac.

In addition to the attacks by air, the Yugoslav Army in the occupied territories of Croatia, transformed into the so-called 15th Lika Corps, have commenced attacks on Bihac in two directions by land. The primary offensive is in the direction of Licko Petrovo Selo-Izacic-Bihac. The support offensive is in the direction of Zeljezno Polje-Lohovo-Skocaj. These ongoing movements include the use of manpower with an especially heavy use of artillery.

These new acts of aggression by the self-declared Serbian authorities and the remnants of the Yugoslav Army in the occupied territories of Croatia against the Republic of Bosnia and Herzegovina reinforce the view of my Government about the ineffectiveness of the Bosnia/Serbia border blockade. As a blatant example of its ineffectiveness, we must emphasize the negative consequences of the ICFY Mission arrangements to import large quantities of fuel into the occupied territories of Croatia, as pointed out in an 8 November 1994 letter from my Foreign Minister to Your Excellency (S/1994/1272). The cooperation between the self-declared Serbian authorities in the occupied territories of Croatia with the Bosnian Serb authorities is clearly evident by the incidents described above.

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I should also like to recall that this is not the first time that the Udbina airport in Croatia has been used by the self-declared Serbian authorities in the occupied territories of Croatia for the benefit of the Bosnian Serb authorities. Following the 28 February incident when NATO engaged four Yugoslav Airforce planes near Novi Travnik, Bosnia and Herzegovina, originating from Udbina, Croatia, my Government requested that observers be placed at the Udbina airport along with other measures as a deterrent from possible future misuse of the airport (S/1994/241).

Similarly, in the 21 April 1994 debate on the situation in Bosnia and Herzegovina in the Security Council my delegation expressed the view that the Croatian Government would seriously consider the extension of the Bihac exclusion zone onto the territory of Croatia, should NATO be prepared to engage its assets in Croatian airspace for the purpose of protecting the Security Council-declared safe area of Bihac. Furthermore, my Government supports any engagement of NATO assets in regard to the Serbian forces in the occupied territories of Croatia and the airspace of Croatia whenever Security Council and General Assembly resolutions are violated.

In respect of the request from the Government of the Republic of Bosnia and Herzegovina and the Government of the Federation of Bosnia and Herzegovina, Croatia, as a neighbouring State has a clear legal obligation to prevent aggressive actions by paramilitary units from its territory against Bosnia and Herzegovina. Moreover, Croatia's obligation is not only tied to its position as a neighbouring, friendly and law-abiding State, but also to its position as a State tied, by the Washington Agreements, to the Federation of Bosnia and Herzegovina in a possible future confederation.

My Government considers the present actions undertaken by the self-declared Serbian authorities and the remnants of the Yugoslav Army in the occupied territories of Croatia a serious violation of the Zagreb Cease-fire Agreement of 29 March 1994, the General Assembly resolution 49/10 and various Security Council resolutions, and considering the passive response of the international community to these developments so far, and Croatia's legal and moral obligations outlined above, my Government reserves its sovereign right to undertake further measures consistent with its obligations under international law.

May I request your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires a.i.